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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/937,246	09/21/2001	Claudio Bernoni	BUG 2 0144	6473

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EXAMINER

NGUYEN, LONG B

ART UNIT

PAPER NUMBER

3617

DATE MAILED: 03/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/937,246

Applicant(s)

BERNONI, CLAUDIO

Examiner

Long B Nguyen

Art Unit

3617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☒ Claim(s) 1-6 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_ 6) ☐ Other: \_\_\_\_

## **DETAILED ACTION**

### ***Specification***

1. This application does not contain an abstract of the disclosure as required by 37 CFR 1.72(b). An abstract on a separate sheet is required.
2. Claims 1-6 are objected to because of the following informalities:
  - a. The word "tyre" in claim 1 should be changed to - - tire - -to conform with U.S. practice.
  - b. The word "characterised" in claims 2-6 should be changed to - - characterized - - to conform with U.S. practice. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
4. Claims 1-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The phrase "its own" is indefinite because examiner is uncertain as to which element in the claim the phrase is referring to.

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

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the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki and further in view of German Patent 4,033,341.

With respect to claim 1, Suzuki discloses a three piece wheel for motor vehicles comprising an outer rim, an inner rim provided with a groove with a wall, the outer and inner rims forming a support for a tire, a disc being partially superposed onto the outer rim, means for connecting the disc, the outer rim and the inner rim, the connecting means being provided with an axis.

However, Suzuki does not specify that the connecting means are inserted in the thickness of the wall of the groove of the inner rim without projecting therefrom and in that the axis of the connecting means is in proximity to or coincident with the neutral axis of the wall of the groove of the inner rim.

German Patent '341 teaches the wall of the groove of the inner rim 1 (near reference character 2 in the figure) without projecting therefrom and in that the axis of the connecting means 5 is in proximity to or coincident with the neutral axis of the wall of the groove of the inner rim 1.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to utilize an inner rim such as Suzuki having a groove with a thick end wall that coincide with the neutral axis of the wall of the groove as taught by German Patent '341 because an inner rim with a thicker wall provides greater strength for connecting with the outer wall and the disc and thus, the wheel can tolerate greater loads.

With respect to claim 2, the methods of making the disc and rim by casting and stamping have no patentable weight in a product claim. The product claim can be made by other methods including forging and molding.

With respect to claims 3 and 5, Suzuki does not specify the connecting means to be coach screws. However, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to utilize coach screws because coach screws are mechanical equivalents of stud bolts that can be inexpensive and widely available.

With respect to claims 4 and 6, the modified wheel of Suzuki discloses the connecting means are stud bolts screwed in the inner rim and comprise fastening nuts acting on the disc.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure Thoni, Lipper, Mori, Kaji, Weld, Grawey et al., Hollerith, Hunt et al., Kenslow, Charlton, Martin, Putnam, and McKay are cited to show a wheel with multiple rim parts and disc with connecting means for connecting the rim part with the disc.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Long B Nguyen whose telephone number is


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703.305.5201. The examiner can normally be reached on M-F with alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Samuel Morano can be reached on 703.308.0230. The fax phone numbers for the organization where this application or proceeding is assigned are 703.872.9326 for regular communications and 703.305.5201 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703.308.1113.

lbn  
March 21, 2003

 3/21/03  
**LONG BAO NGUYEN**  
**PATENT EXAMINER**

  
**S. JOSEPH MORANO**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 3600**